

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE LITIGATION

MDL No. 1456

THIS DOCUMENT RELATES TO:

CIVIL ACTION: 01-CV-12257-PBS

ALL ACTIONS

Judge Patti B. Saris

Hearing on June 26, 2006 at 3 p.m.

**CLASS PLAINTIFFS' MOTION TO APPROVE THE  
FORM OF CLASS NOTICE AND THE MANNER OF NOTICE**

Class plaintiffs move the Court for approval of the notices to Class 1 and Class 2 and the manner of notice. This motion is supported by a memorandum of law and the Declaration of Steve W. Berman.

DATED: June 21, 2006

By /s/ Steve W. Berman  
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**CERTIFICATE OF SERVICE BY LEXISNEXIS FILE & SERVE**

Docket No. MDL 1456

I, Steve W. Berman, hereby certify that I am one of plaintiffs' attorneys and that, on June 21, 2006, I caused copies of **CLASS PLAINTIFFS' MOTION TO APPROVE THE FORM OF CLASS NOTICE AND THE MANNER OF NOTICE** to be served on all counsel of record by causing same to be posted electronically via Lexis-Nexis File & Serve.

**/s/ Steve W. Berman**

Steve W. Berman